

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 213

Introduced by Senator Hancock

February 8, 2011

~~An act relating to community schools. An act to amend Section 14115.8 of the Welfare and Institutions Code.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 213, as amended, Hancock. ~~Full-service community schools.~~
Medi-Cal: local educational agencies: billing.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law requires the department to amend the Medicaid state plan with respect to the billing option for services by local educational agencies to ensure that schools are reimbursed for all eligible services that they provide that are not precluded by federal requirements. Existing law also requires the department to perform various activities, including, among others, an annual comparison of the school-based Medicaid systems in comparable states and efforts to improve communications with the federal government, the State Department of Education, and local educational agencies.

This bill would additionally require the department to develop, jointly with the State Department of Education, a plan for identifying and providing assistance to districts that are underutilizing the Medi-Cal administrative activities (MAA) billing option, and would require the plan to address ways to collect information about how districts are

reinvesting dollars generated through MAA billing and to promote promising strategies.

~~Existing law authorizes county boards of education to establish and maintain one or more community schools. Existing law authorizes county boards of education to enroll in community schools pupils who have been expelled from a school district, pupils who have been referred pursuant to a recommendation from a school attendance review board, pupils who are on probation or parole, or homeless children.~~

~~This bill would express the intent of the Legislature to enact legislation that would establish guidelines, as specified, for full-service community schools that would support pupils on or near schoolsites in order for those pupils to be successful in school.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14115.8 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 14115.8. (a) (1) The department shall amend the Medicaid
- 4 state plan with respect to the billing option for services by local
- 5 educational agencies, to ensure that schools shall be reimbursed
- 6 for all eligible services that they provide that are not precluded by
- 7 federal requirements.
- 8 (2) The department shall examine methodologies for increasing
- 9 school participation in the Medi-Cal billing option for local
- 10 educational agencies so that schools can meet the health care needs
- 11 of their students.
- 12 (3) The department, to the extent possible, shall simplify
- 13 claiming processes for local educational agency billing.
- 14 (4) The department shall eliminate and modify state plan and
- 15 regulatory requirements that exceed federal requirements when
- 16 they are unnecessary.
- 17 (b) If a rate study for the LEA Medi-Cal billing option is
- 18 completed pursuant to Section 52 of Chapter 171 of the Statutes
- 19 of 2001, the department, in consultation with the entities named
- 20 in subdivision (c), shall implement the recommendations from the
- 21 study, to the extent feasible and appropriate.
- 22 (c) In order to assist the department in formulating the state plan
- 23 amendments required by subdivisions (a) and (b), the department

1 shall regularly consult with the State Department of Education,
2 representatives of urban, rural, large and small school districts,
3 and county offices of education, the local education consortium,
4 and local educational agencies. It is the intent of the Legislature
5 that the department also consult with staff from Region IX of the
6 federal Centers for Medicare and Medicaid Services, experts from
7 the fields of both health and education, and state legislative staff.

8 (d) Notwithstanding any other provision of law, or any other
9 contrary state requirement, the department shall take whatever
10 action is necessary to ensure that, to the extent there is capacity in
11 its certified match, a local educational agency shall be reimbursed
12 retroactively for the maximum period allowed by the federal
13 government for any department change that results in an increase
14 in reimbursement to local educational agency providers.

15 (e) The department may undertake all necessary activities to
16 recoup matching funds from the federal government for
17 reimbursable services that have already been provided in the state's
18 public schools. The department shall prepare and take whatever
19 action is necessary to implement all regulations, policies, state
20 plan amendments, and other requirements necessary to achieve
21 this purpose.

22 (f) The department shall file an annual report with the
23 Legislature that shall include at least all of the following:

24 (1) A copy of the annual comparison required by subdivision
25 (i).

26 (2) A state-by-state comparison of school-based Medicaid total
27 and per eligible child claims and federal revenues. The comparison
28 shall include a review of the most recent two years for which
29 completed data is available.

30 (3) A summary of department activities and an explanation of
31 how each activity contributed toward narrowing the gap between
32 California's per eligible student federal fund recovery and the per
33 student recovery of the top three states.

34 (4) A listing of all school-based services, activities, and
35 providers approved for reimbursement by the federal Centers for
36 Medicare and Medicaid Services in other state plans that are not
37 yet approved for reimbursement in California's state plan and the
38 service unit rates approved for reimbursement.

1 (5) The official recommendations made to the department by
2 the entities named in subdivision (c) and the action taken by the
3 department regarding each recommendation.

4 (6) A one-year timetable for state plan amendments and other
5 actions necessary to obtain reimbursement for those items listed
6 in paragraph (4).

7 (7) Identify any barriers to local educational agency
8 reimbursement, including those specified by the entities named in
9 subdivision (c), that are not imposed by federal requirements, and
10 describe the actions that have been, and will be, taken to eliminate
11 them.

12 (g) (1) These activities shall be funded and staffed by
13 proportionately reducing federal Medicaid payments allocable to
14 local educational agencies for the provision of benefits funded by
15 the federal Medicaid program under the billing option for services
16 by local educational agencies specified in this section. Moneys
17 collected as a result of the reduction in federal Medicaid payments
18 allocable to local educational agencies shall be deposited into the
19 Local Educational Agency Medi-Cal Recovery Fund, which is
20 hereby established in the Special Deposit Fund established pursuant
21 to Section 16370 of the Government Code. These funds shall be
22 used, upon appropriation by the Legislature, only to support the
23 department to meet all the requirements of this section. As of
24 January 1, 2013, unless the Legislature enacts a new statute or
25 extends the repeal date in subdivision (j), all funds in the Local
26 Educational Agency Medi-Cal Recovery Fund shall be returned
27 proportionally to all local educational agencies whose federal
28 Medicaid funds were used to create this fund. The annual amount
29 funded shall not exceed one million five hundred thousand dollars
30 (\$1,500,000).

31 (2) Funding received pursuant to paragraph (1) shall derive only
32 from federal Medicaid funds that exceed the baseline amount of
33 local educational agency Medicaid billing option revenues for the
34 2000–01 fiscal year.

35 (h) (1) The department may enter into a sole source contract
36 to comply with the requirements of this section.

37 (2) The level of additional staff to comply with the requirements
38 of this section, including, but not limited to, staff for which the
39 department has contracted for pursuant to paragraph (1), shall be

1 limited to that level that can be funded with revenues derived
2 pursuant to subdivision (g).

3 (i) The activities of the department shall include all of the
4 following:

5 (1) An annual comparison of the school-based Medicaid systems
6 in comparable states.

7 (2) Efforts to improve communications with the federal
8 government, the State Department of Education, and local
9 educational agencies.

10 (3) The development and updating of written guidelines to local
11 educational agencies regarding best practices to avoid audit
12 exceptions, as needed.

13 (4) The establishment and maintenance of a local educational
14 agency user-friendly, interactive Internet Web site.

15 (5) *The development, jointly with the State Department of*
16 *Education, of a plan for identifying and providing assistance to*
17 *districts that are underutilizing the Medi-Cal administrative*
18 *activities (MAA) billing option. The plan shall address ways to*
19 *collect information about how districts are reinvesting dollars*
20 *generated through MAA billing and to promote promising*
21 *strategies.*

22 (j) This section shall remain in effect only until January 1, 2013,
23 and as of that date is repealed, unless a later enacted statute, that
24 is enacted before January 1, 2013, deletes or extends that date.

25 ~~SECTION 1. It is the intent of the Legislature to enact~~
26 ~~legislation that would establish guidelines for full service~~
27 ~~community schools that would support pupils on or near schoolsites~~
28 ~~in order for those pupils to be successful in school. It is the intent~~
29 ~~of the Legislature that the guidelines established by this legislation~~
30 ~~should include ways to achieve all of the following:~~

31 ~~(a) Improvement of access to health care, including dental and~~
32 ~~vision care and other support services.~~

33 ~~(b) Expansion of community-parent outreach centers to help~~
34 ~~parents and legal guardians get services for their children.~~

35 ~~(c) Providing after school and summer activities in the~~
36 ~~community for pupils to keep them safe and learning.~~

37 ~~(d) Improvement of school readiness through supporting~~
38 ~~high-quality child care and preschool programs.~~

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